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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,107	09/27/2003	John R. Klug	1948/US/2	2313
20686	7590	07/02/2004	EXAMINER	
DORSEY & WHITNEY, LLP INTELLECTUAL PROPERTY DEPARTMENT 370 SEVENTEENTH STREET SUITE 4700 DENVER, CO 80202-5647			COSIMANO, EDWARD R	
			ART UNIT	PAPER NUMBER
			3629	
DATE MAILED: 07/02/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,107

Applicant(s)

KLUG, JOHN R.

Examiner

Edward R. Cosimano

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/27/03 & 1/27/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/9/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Applicant should note the changes to patent practice and procedure:
 - A) effective December 01, 1997 as published in the Federal Register, Vol 62, No. 197, Friday October 10, 1997;
 - B) effective November 07, 2000 as published in the Federal Register, Vol 65, No. 54603, September 08, 2000; and
 - C) Amendment in revised format, Vol. 1267 of the Official Gazette published February 25, 2003.
2. Applicant's claim for the benefit of an earlier filing data under 35 U.S.C. § 119(e) and 35 U.S.C. § 120 is acknowledged.
3. The use of various trademark(s), for example: "MICROSOFT" or "MSN", or "HOTMAIL" or "YAHOO" or "MICROSOFT OUTLOOK" or "EUDORA" or "QUALCOMM" or "INSTANT MESSENGER" or "AMERICA ONLINE" or "Citrix Systems" or "Microsoft Internet Explorer" or "Netscape Navigator" or "CHOICE MAIL" or "CHOICEMAIL" or "MSN", "PAYPAL" or "Western Union" or "NETSCAPE" or "YAHOO MAIL" have been noted in this application at paragraph:
 - A) number 5 on page 2 "Commonly today, users of computing and/or telecommunications devices ... MICROSOFT (e.g. via their MSN and/or HOTMAIL services), YAHOO ... MICROSOFT OUTLOOK, ... users to simply stop using e-mail as a communications medium.";
 - B) number 46 on pages 15-16, "Upon receipt of the franked ... OUTLOOK, manufactured by MICROSOFT Corporation of Redmond, Washington, or EUDORA Mail, manufactured by QUALCOMM Incorporated, of San Diego, California, or INSTANT MESSENGER, manufactured by AMERICA ONLINE Corporation. The ... may be any form of device of computer described herein.";
 - C) number 50 on page 17, "It is to be appreciated ... by Citrix Systems ... such as those supported by Microsoft Internet Explorer, Netscape Navigator and others.";
 - D) number 67 on pages 24-25, "Another approach for reducing as ... CHOICE MAIL, ... the CHOICEMAIL ... entering the recipient's e-mail/communication inbox.";

E) number 70 on page 26, "However, it is to be appreciated that ... (such as AMERICA ONLINE, MSN, YAHOO, and others) might also be suitably configured as clearing house servers.";

F) number 75 on page 28, "Generally, in the present embodiment ... for example, PAYPAL, Western Union ... communication for transmission to a receiver.";

G) number 113 on page 44, "Fig. 7 displays a second ... (such as, for example, INTERNET EXPLORER or NETSCAPE). Here, ... may be, for example, co-hosted with the franking server 305.";

H) number 184 on page 69, "Generally, senders pay ... a PAYPAL account, ... entity in fiscal partnership with the franking server."; and

I) number 203 on page 77, "Generally speaking, ... (such as HOTMAIL or YAHOO MAIL) ... properly filter and categorize all franked communications 105.".

Any trademarks should be capitalized wherever they appear and be accompanied by the generic terminology.

3.1 Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

4. The drawings are objected to because

A) the following errors have been noted in the drawings:

(1) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(4) because reference character:

(a) "700" has been used to designate both:

(a)(1) a "franking application" see fig. 7 and the context of paragraph:

(a)(1.1) number 113 on pages 44-44, "Fig. 7 displays a second version of a franking application 700, wherein the franking application 700 interfaces with a web browser 705 ... franking application 700 ... browser 705. However, ... franking application 700 ... browser 705 ...

franking application 700 ... co-hosted with the franking server 305.”; and

(a)(1.2) number 203 on page 77, “Generally speaking, e-mail/communication application program 600, 700, 805. However, ... will properly filter and categorize all franked communications 105.”; and

(a)(2) a “web browser” see fig. 8.

(2) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description, note reference number(s):

(a) 130 as disclosed in:

(a)(1) paragraph number 46 on pages 15-16, “Upon receipt of the franked ... e-mail/communication application 130 ... program 130 ... may be any form of device of computer described herein.”;

(a)(2) paragraph number 47 on page 16, “When the recipient system 125 ... e-mail/communication application 130, or otherwise specified by the user.”;

(a)(3) number 50 on page 17, “It is to be appreciated that in mail-exchange ... e-mail/communication software 130 ... software application 130 ... by Microsoft Internet Explorer, Netscape Navigator and others.”;

(a)(4) number 58 on page 20 “In another embodiment, the franking ... e-mail/communication application program 130 ... such as the Internet, the World Wide Web, and others.”;

(a)(5) number 78 on page 30, “Upon receipt of the e-mail/communication 105, the ... e-mail/communication application 130 ... single e-mail/communication or a number of communications.”;

(a)(6) number 89 on page 35, "In addition to the embodiments described ... mail application program 130, ... recognize and process franks.";

(a)(7) number 91 on page 35, "In operation 505, the receiving ... e-mail/communication application 130 ... the frank 110 is presumed to be valid.";

(a)(8) number 97 on page 38, "In operation 530, ... e-mail/communication application program 130. Alternately, ... e-mail/communication application program 130 ... e-mails/communications 130 ... and so forth, until the communication is accessed.";

(a)(9) number 144 on pages 55-56, "For example, a recipient may ... mail application program 130 ... mail application program 130, or ... display of emails/communications 105 may be preserved by the embodiment.";

(a)(10) number 146 on pages 56-57, "In yet another embodiment, ... mail application program 130 to ... e-mails/communications 105 unrelated in content to the recipient's stated interest.";

(a)(11) number 155 on pages 59-60, "In addition to the sorting, filtering, and valuation concepts discussed above, ... either a franking application 805, 130 ... e-mail/communication may be transmitted across the network 120 to the sender's system.";

(a)(12) number 156 on page 60, "Unlike the read receipts ... e-mail/communication application programs 130, ... e-mail/communication application programs 130 ... e-mail/communication applications 130 in use, this is not always (or even often) guaranteed.";

(a)(13) number 182 on page 69, "Generally, it should be noted that e-mail/communication application program 130 is, ... may not circumvent virus checking software and so forth."; and

(a)(14) number 203 on page 77, "Generally speaking, ... e-mail/communication application 130 resident ... properly filter and categorize all franked communications 105.".

(b) 200 as disclosed in:

(b)(1) paragraph number 60 on pages 20-21, "One approach commonly advocated ... embodiment 200 ... the single dump 220 illustrated in Fig. 2A is simplified.".

(3) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description, note reference number(s):

(a) 440 in fig. 4 as this feature is described in paragraph number 88 on page 34, "In operation 415, ... operation 420. Finally, in step 430, the e-mail/communication is delivered.", note below;

(4) as can be seen in figs. 7 & 8 and from the context of paragraph:

(a) number 113 on pages 44-44, "Fig. 7 displays a second version of a franking application 700, wherein the franking application 700 interfaces with a web browser 705 ... franking application 700 ... browser 705. However, ... franking application 700 ... browser 705 ... franking application 700 ... co-hosted with the franking server 305.";

(b) number 117 on page 46, "Fig. 8 displays ... browser 705, ... elements 605, 610, 705, ... franking application 600, 700, 805, e-mail/communication application program 605, browser 705, or output device manager."; and

(c) number 119 on page 47, "Once a set of criteria is specified ... browser 705, ... debit the sender's account 310 for the cost of the franks 110.";

in fig. 8, reference number "700" should be --705--.

4.1 A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4.2 Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

5. The disclosure is objected to because of the following informalities:

A) applicant must update:

(1) the continuing data in paragraph number 1 on page 1 as amended on January 27, 2004, "This application claims ... co-pending application serial no. 10/673,073, ... which is also incorporated herein by reference.";

with the current status of each of the referenced applications, e.g., --now abandoned--, or --now patent #?--, or --which is abandoned and now serial number #?--, etc.

B) as required by 37 CFR § 1.84(p(5)) and 37 CFR § 1.121(e) the specification lacks an explicit reference to the nature of:

(1) reference legend 440 of fig. 4 as this feature is described in paragraph number 88 on page 34, "In operation 415, ... operation 420. Finally, in step 430, the e-mail/communication is delivered.", note below.

In this regard, it is noted that merely mentioning either a feature or a number with out mentioning the device or operation or number or feature relies on the drawing to provide support for the disclosure and not to aid in the understanding of the invention, as is the purpose of the drawings (37 CFR § 1.81(a,b)).

C) the following errors have been noted in the specification:

(1) in paragraph number 63 on page 22, "Further, a major shortcoming of filters 205 and filtering systems ... volume of communications 105communicated to a next node on a network and ultimately presented to a

given recipient system 125.”, in the second from last line “communications 105communicated” should be --communications 105 communicated--.

(2) in paragraph number 64 on pages 22-23, “One embodiment of the present invention e-mail/communication 105and determine ... given stream of information from a specified source(s).”, at line 6 “e-mail/communication 105and” should be --e-mail/communication 105 and--.

(3) as can be seen in fig. 3 and from the context of paragraph number 74 on page 27, “The sender's ISP 210 may ... facilitate server connection to the network.”, at line 1 of this paragraph “210” should be --215--, note also the use of reference number 215 for this feature in figs. 1, 2A, 2B and their associated descriptions.

(4) as can be seen in fig. 3 and from the context of paragraph number 78 on page 30, “Upon receipt of the e-mail/communication 105, ... recipient's e-mail/communication server 135. The recipient's e-mail/communication server 135 may ... a single e-mail/communication or a number of communications.”, at lines 7 & 8 of this paragraph “135” should be --315--, note also 135 in fig. 1.

(5) as can be seen in fig. 4 and from the context of paragraph number 88 on page 34, “In operation 415, ... operation 420. Finally, in step 430, the e-mail/communication is delivered.”, in the last line of this paragraph “430” should be --440--, note above.

(6) as can be seen in figs. 1, 2A, 2B, 3, 6, 7 & 8 and their associated descriptions, from the context of paragraph number 118 on pages 46-47, “Generally, a sender may initiate a frank 115 ... frank 110. For ... frank 110 ... may specify a payment method, as discussed above.”, at line 1 of this paragraph “115” should be --110--, not also the designation of sender system 115 in figs. 1, 2A, 2B, 3, 6, 7, 8, 9A & 9B and their associated descriptions.

(7) as can be seen in figs. 3 & 8 and from their associated descriptions, from the context of paragraph number 123 on pages 48-49, “Alternately, the previously-mentioned ... debit an account 305 associated with the purchaser. Yet

... a purchase option, rather than being automatically filled.”, at line 5 of this paragraph “305” should be --310--, note the designation of “Franking Server 305” in figs. 3 & 8 and their associated descriptions.

(8) in paragraph number 144 on pages 55-56, “For example, a recipient may ... mail application program 130, or ... display of emails/communications 105 may be preserved by the embodiment.”, at line 17 of this paragraph “mail application program 130, or” should be -- mail application program 130, or--.

(9) applicant’s reference to “nodes 210, 225, 135” in paragraph number 147 on page 57, “The embodiment may ... other nodes 210, 225, ... shared by companies, organizations, ISPS, Internet domains, and so on.”, is confusing, since the remainder of the disclosure and the figs. 2A, 2B, 3, 9A & 9B use reference number 210 to designate an “E-mail server” and reference number 225 to designate the “Sender’s ISP”.

(10) in paragraph number 155 on pages 59-60, “In addition to the sorting, filtering, and valuation concepts discussed above, ... e-mail/communication may be transmitted across the network 120 to the sender’s system.”, at line 2 from the end of this paragraph, “network 120 to” should be -- network 120 to--.

(11) as can be seen in figs. 3, 9A & 9B and their associated descriptions and from the context of paragraph number 182 on page 56, “Generally, it should ... receiving e-mail/communication server 215, ... may not circumvent virus checking software and so forth.”, at line 4 of this paragraph “receiving e-mail/communication server 215” should be --receiving e-mail/communication server 315--.

(12) since the remainder of the disclosure references network 120 and network 915, applicant’s reference to “franking system 120, 915” in the context of paragraph number 208 on page 79, “Essentially, when ... franking system 120, 915, ... franking system 120, 915 ... to all registered system recipients.”, is confusing.

(13) the disclosure lacks an explicit reference to fig. 10 in the detailed description as required by 37 CFR § 1.74 this figure is described in paragraph numbers 212-215 on pages 80-81, "A telemarketer or other caller may ... whether or not calls originating from the number are franked."

Appropriate correction is required.

6. The specification and drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification or drawings. Applicant should note the requirements of 37 CFR § 1.74, § 1.75, § 1.84(o,p(5)), § 1.121(a)-1.121(f) & § 1.121(h)-1.121(i).

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.1 Claims 1-5, 7, 8 & 10-12 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Kuzma (5,771,289).

7.1.1 In regard to claims 1, 2, 7, 8 & 10-12 Kuzma ('289) disclose in the environment of sending either data or information or images or email, herein after referred to as a electronic message, over a suitable communications network, e.g. the internet, containing at least a sender system, an electronic post office and a recipient system the attachment of value to the message. Before the sender of an electronic message may send the message over an network, the user must first make a request for purchasing electronic stamps/franks from the electronic postage office. If the received request is approved, then the requested funds are stored in a stamp counter, that is value store. When a sender at the sender's system wishes to send one or

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more electronic messages, the amount of money required to send each individual electronic message over the network is determined by a scale/device. Next, a separate electronic stamp/frank module or stamper receives a request for a particular value of stamp/frank from the scale and if it is determined that sufficient funds for sending the electronic message are stored in the associated stamp value storage device, then the stamper deducts the requested stamp/frank value from the user's previous stored electronic stamp/frank funds and generates a stamp/frank. The generated stamp/frank is then sent/transmitted so that it may be attached to each of the electronic message. After applying the stamp/frank to an item, the item is transmitted/communicated via a suitable network to the recipient.

7.1.2 In regard to claims 3-5, it is noted that the combination of the scale, stamper and stamp counter of Kuzma ('289) are located together and may be located at either the sender's system or the electronic post office. Regardless of where these units are located, the electronic post office uses a communications module to receive the transmitted message and then verifies and cancels the stamp/frank on the transmitted message. Further, if the scale, stamper and stamp counter of Kuzma ('289) are located at the electronic post office, then the electronic post office additionally receives the electronic message via communications module and applies the stamp/frank for the required fee to the electronic message as set forth above.

7.2 Claims 13-20 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Voticky et al (6,351,764).

7.2.1 In regard to claims 13-20, Voticky et al ('764) discloses a communication receiver that receives communications/messages that have been transmitted over a suitable communications network, where each message includes an unique identifier/code. When a message is received, the communications receiver examines the received message for the unique identifier/code and then examines a database for the retrieved unique identifier/code. If the unique identifier/code is not found then a general code is assigned to the message, otherwise the unique identifier/code found in the message is assigned to the message. Base on the code assigned to the message, a priority level and processing instructions/rules for the assigned code are retrieved from a database base and then the system processes the received message based on

the priority level and processing instructions/rules. When the use views the user's inbox, the unique code is displayed next to the message. It is noted that:

A) mail servers and services are provided as part of the ISP's services to the user;

B) user's run mail-filtering programs.

7.3 Claims 13-20 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Hall (article from Communications of the ACM here in after Hall (ACM)).

7.4 Claims 13-20 are rejected under 35 U.S.C. § 102(a) as being clearly anticipated by Hall (2002/0194308).

7.5 In regard to claims 13-20, either Hall (ACM or '308) disclose a communication receiver that receives communications/messages that have been transmitted over a suitable communications network, where each message includes an unique identifier/code. When a message is received, the communications receiver examines the received message for the unique identifier/code and then examines a database for the retrieved unique identifier/code. If the unique identifier/code is not found then the message is rejected, otherwise processing continues. Base on the code found in the message, the message is processed according to the instructions/rules for the code. When the use views the user's inbox, the messages with the same code is displayed together. It is noted that:

A) mail servers and services are provided as part of the ISP's services to the user;

B) user's run mail-filtering programs.

8. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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(c) Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

8.1 Claims 6 & 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuzma (5,771,289) in view of Shah et al (5,822,738) or Kara (5,822,739) or Whitehouse (6,005,945) or Heiden et al (6,141,645) or Shah et al (2003/0078893) or Bator et al (6,619,544).

8.1.1 In regard to claims 6, 9, 32-35 and the type of storage device used to store the frank/stamp, it is noted that although the stamp counter of Kuzma ('289) stores the amount of value that may be used to produce the requested stamp/frank, Kuzma ('289) is silent as to whether this stored value may represent only one stamp/frank at a time or a number of stamps/franks. However, in the environment of metering shipping/transportation/conveying/communicating fees either Shah et al ('738 or '893) or Kara ('739) or Whitehouse ('945) or Heiden et al ('645) or Bator et al ('544), discloses a remotely located metering device that has been licensed to store and dispense the fees associated with the shipping/transportation/conveying/communicating of items in response to authorized requests. When a customer desires to ship/transport/convey/communicate an item, the user at a user general purpose PC creates a request for a franking that provides evidence that the associated shipping/transportation/conveying/communicating fee has been paid. Next the generated request for a franking is transmitted to remotely located receiving device attached to the metering device via a suitable communications network, where the metering device uses the transmitted information to:

A) account for the requested franking in a single general account or an account for the user; and

B) to generate a valid franking indicia that includes encoded information as evidence of the payment of shipping/transportation/conveying/communicating fee.

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The valid fee indicia is then transmitted to identified user PC via a suitable communications network where it is stored until the indicia/frank is attached to the item to be shipped/transported/conveyed/communicated through an appropriate network.

8.1.2 Since;

A) both the systems of Kuzma ('289) and either Shah et al ('738 or '893) or Kara ('739) or Whitehouse ('945) or Heiden et al ('645) or Bator et al ('544) store franking value for latter application to items to be shipped/communicated to another location using a network; and

B) the repeated refilling of the stamping/franking value storage devices for the requested value of each stamp/frank for each individual item would burden the system of Kuzma ('289);

it would have been obvious to one of ordinary skill at the time of the invention that the system of Kuzma ('289) could be modified to store stamps/franks for a number of items to be shipped/communicated to another location using a network as taught by either Shah et al ('738 or '893) or Kara ('739) or Whitehouse ('945) or Heiden et al ('645) or Bator et al ('544).

9. The examiner has cited prior art of interest, for example:

A) either Kunigami (5,508,817) or Billiris et al (6,047,272 or Lynch-Aird (6,240,402) or Priest et al (20020059138) which disclose assessing the charges related to sending messages to both the sender as is common and/or the recipient.

B) either Westerlage et al (5,694,322 or 5,970,481) which discloses the apportionment of the total tax collected from a carrier among each of the taxing jurisdictions that the carrier passed through while conducting normal business operations.

C) Gordon et al (WO 00/79455 A1) which discloses scanning information contained in an indicia and using the obtained information to control the operation of another system, for example to make a payment.

10. Applicant must supply the articles mentioned in:

A) paragraph number 67 on pages 24-25, "Another approach for reducing and/or eliminating undesired communications 105, ... the Wall Street Journal article

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"Choice Mail Designs Best Traffic Cop Yet to Thwart Spammers," July 11, 2002, ... entering the recipient's e-mail/communication inbox.";

11. The shorten statutory period of response is set to expire 3 (three) months from the mailing date of this Office action.


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (703) 305-9783. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss, can be reached on (703)-308-2702. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

12.1 The fax phone number for UNOFFICIAL/DRAFT FAXES is (703) 746-7240.

12.2 The fax phone number for OFFICIAL FAXES is (703) 872-9306.

12.3 The fax phone number for AFTER FINAL FAXES is (703) 872-9306.

06/26/04


Edward R. Cosimano
Primary Examiner A.U. 3629